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Attorney Docket: 012.P10010

**SEP 12 2006****REMARKS**Status of Claims**BEST AVAILABLE COPY**

Claims 1, 26, 35 and 57 are amended.

No claims are added or cancelled.

Claims 15-25, 29-34 and 48-56 are allowed.

Claims 1-65 are pending.

Claims 1, 26, 35 and 57 are amended to more clearly delineate intended subject matter and are not intended to be narrowing amendments. In fact, some amendments are believed to have broadened affected claims in at least some respects. Accordingly, no prosecution history estoppel should apply.

Claim Rejections

Examiner rejected claims 1 – 14, 26 – 28, 35 – 47 and 57 – 65 under 35 USC § 101 as being directed to non-statutory subject matter. In particular, Examiner asserts that these claims lack a useful, concrete and tangible result, further asserting that there is not physical transformation to establish a practical application. This rejection is respectfully traversed.

***Useful, Concrete and Tangible Result***

Claims 1 – 14, 26 – 28, 35 – 47 and 57 – 65 are directed to generation of an "oscillating electronic signal." As described in the specification with reference to Fig. 2 in a specific example, such an oscillating electronic signal may be employed in practical applications such as modulating a signal based upon information received from a source. [Specification, p. 4, line 6 – 24] Accordingly, as provided in the specification, claims 1 – 14, 26 – 28, 35 – 47 and 57 – 65 may be directed to achieving at least one useful, concrete and tangible result. It

should be understood, however, that this is merely one example of a practical application of an oscillating electronic signal and claimed subject matter is not limited to this particular application and may include other practical applications.

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***Physical Transformation to Establish a Practical Application***

Claim 1 is directed to updating an oscillating electronic signal based, at least in part, on a corrected second phasor. Claims 26, 35 and 57 are similarly directed to updating an oscillating electronic signal. In this context, Examiner should appreciate that the updated oscillating electronic signal necessarily undergoes a physical transformation. As pointed out above, the specification illustrates at least one practical application for using such an updated oscillating electronic signal. Accordingly, Assignee respectfully submits that claims 1 – 14, 26 – 28, 35 – 47 and 57 – 65 are directed to a physical transformation to establish a practical application.

As pointed out above, Assignee respectfully submits that claims 1 – 14, 26 – 28, 35 – 47 and 57 – 65 are directed to providing a useful, tangible and concrete result, and a physical transformation to establish a practical application. Accordingly, Assignee respectfully submits that claims 1 – 14, 26 – 28, 35 – 47 and 57 – 65 are directed to patentable subject matter and requests withdrawal of rejection of these claims under 35 USC § 101.

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### CONCLUSION


In view of the foregoing, it is respectfully submitted that all of the claims pending in this patent application, as amended, are in condition for allowance. If the Examiner has any questions, he is invited to contact the undersigned at (503) 439-6500.

Please charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account number 50-3703.

Respectfully submitted,

Dated:

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